IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.229 OF 2007

IN

SUMMARY SUIT NO.3212 OF 2006

Divakar Chemicals Ltd. ...Plaintiffs

Versus

Trinity Coating Systems Ltd. ...Defendants

.....

Mr.Vishal Maheshwari i/b M/s.Khaitan & Co.

for Defendants/Applicants.

.....

CORAM: A.M.KHANWILKAR, J.

APRIL 20, 2007.

P.C.

1. Inspite of conditional order passed on 21st March 2007, no steps have been taken to serve the opposite party. On account of self operative conditional order, the Chamber Summons is already dismissed for non-prosecution. Today, the same has been produced by the Applicants for extension of returnable date. That request can be acceded to only if the Chamber Summons was restored to the

file.

2. By way of indulgence, Chamber Summons is restored to the file and made returnable on 28th June 2007. The Applicants to serve the opposite party within four weeks from today and file affidavit of service, failing which, the Chamber Summons to stand dismissed for non-prosecution without further reference to the Court. This indulgence is shown on Applicants paying cost quantified at Rs.2000/- (Rupees Two Thousand) to High Court Legal Services Committee within one week from today as condition precedent.

A.M.KHANWILKAR, J.